UNITED NATIONS
CENTRE AGAINST *APARTHEID*

No. 7/8 July/August 1990

*NEWS DIGEST**

1. ACTION BY UNITED NATIONS ORGANS AND AGENCIES

SECRETARY-GENERAL ISSUES REPORT ON PROGRESS MADE IN IMPLEMENTATION OF 14 DECEMBER 1989 DECLARATION

In his report (Document A/44/960) issued on 16 July 1990, on the progress made in the implementation of the 14 December 1989 General Assembly Declaration on Apartheid and its Destructive Consequences in Southern Africa, the Secretary-General said he was "greatly encouraged" by positive developments that have taken place within South Africa since the beginning of this year.

The report, prepared following a fact-finding mission by a high-level United Nations Team, notes that the political process towards the dismantlement of the apartheid system is still at an early stage.

Of the measures required by the Declaration on Apartheid to create a climate for free political activity, only one, relating to the lifting of the ban on political parties and movements has been introduced in full. Other measures have been implemented in part. The report observes that in the opinion of many, inside and outside South Africa, the Government should implement all measures in their totality to create the appropriate atmosphere.

In the face of growing violence in the country, the Government should urgently address the issue to prevent the consequences which could well present serious difficulties for the political process. The Secretary-General, therefore, appealed in the report to all parties to do whatever was necessary to end the violence and to work together to build a peaceful South Africa.

Some of the data in the report illustrate vividly the grave social injustices that have been inflicted by apartheid on the black population. Hence, the Secretary-General would strongly endorse any measures aimed at redressing the social and economic imbalances, particularly, in the area of housing, education, employment and health. The report notes, however, that "such measures would go a long way towards addressing effectively glaring inequities and instilling public confidence in the democratic

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process and in national institutions."

The Report also contains information provided by Governments on the progress made in the implementation of Declaration of 14 December. Nevertheless it concludes, inter-alia, that:

- South Africa has reached the threshold of a new era as the political process on which it has embarked holds encouraging prospects of leading to the dismantlement of apartheid.

- A national debate has begun on the adequacy of the measures that have been initiated to establish a climate conducive to negotiations.

- Notwithstanding the uncertainty, anxiety, fear and mistrust inherent in any society going through fundamental change, there is a general perception that the path taken by the Government offers real promise for constructive political discussion and represents a significant departure from the position of its predecessors.

Meanwhile, South Africa's Minister of Foreign Affairs, Mr. R.F. Botha issued a statement in which he said he was gratified to see that by and large the report reflected the views of the various parties in South Africa.

Debate on the report which was presented to the resumed session of the General Assembly on 20 July 1990 was postponed to 12-14 September 1990.

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SECRETARY-GENERAL OF THE UNITED NATIONS SENDS MESSAGE TO THE SUMMIT OF THE ORGANIZATION OF AFRICAN UNITY IN ADDIS ABABA

Due to a number of sensitive international issues in which he was involved at the time, the Secretary-General was not able to attend the annual summit of the OAU. Nevertheless, he sent a message in which, inter-alia, he referred to the national and international commitment made by the present South African Government to a policy aimed at dismantling the apartheid system. He pointed out that President de Klerk had taken several initiatives in recent months which tend to give expression to his commitment.

The Secretary-General also referred to Mr. Mandela's visit to the United Nations which, he said, helped considerably to focus attention on issues that are to be resolved before apartheid could be said to have been eradicated. He said that the process of a negotiated settlement deserved to be given every possible support and that he looked forward to the time when the international community could say that apartheid had truly ended and a united non-racial society had emerged in South Africa.

SPECIAL COMMITTEE AGAINST APARTHEID AGREES WITH SECRETARY-GENERAL'S ASSESSMENT ON DISMANTLING APARTHEID

In a statement issued on 24 July 1990, in connection with the Secretary-General's report on the progress made in the implementation of the Declaration on Apartheid and Its Destructive Consequences in Southern Africa, the United Nations Special Committee stated that although the process of change in South Africa had started, it was still at a preliminary stage.

It became evident from the report of the Secretary-General that pressure should be fully maintained on the authorities in Pretoria, and that no relaxation of any measures should be contemplated at this stage, the statement read.

The Special Committee was encouraged to see that, with the exception of one Member State, no other State among those that had responded to the request for information, had relaxed its current economic and other sactions on South Africa. The Special Committee urged the international community to continue exerting pressure on South African régime.

The report underscored once again that the importance and relevance of the consensus Declaration on Apartheid had heightened since the latter's adoption by the General Assembly last December. The Declaration had now become a supportive element of the process of change that South Africa had embarked on.

In the views of the Special Committee, the present situation in South Africa holds the promise for the dismantlement of apartheid through negotiations and for the creation of a non-racial democracy in that country. For that reason, the Special Committee supports fully the political dialogue which has begun between the authorities in Pretoria and representatives of the majority of the population.

The Special Committee felt it was also necessary that the international community should continue to assist the process towards a peaceful resolution of the conflict in South Africa.

SPECIAL COMMITTEE AGAINST APARTHEID EXPRESSES "SERIOUS CONCERN" AT SOUTH AFRICA'S ARREST OF ANC OFFICIAL

Following the arrest, in Johannesburg on 25 July 1990, of Mr. Sathyandranath (Mac) Maharaj, a senior member of the National Executive of the African National Congress (ANC) and a member of the Central Committee of the South African Communist Party, on 30 July the Special Committee issued a statement expressing serious concern over the arrest. It said the arrest showed once more that an atmosphere of free political activity does not exist in South Africa.

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Mr. Maharaj, who was arrested under Section 29 of the Internal Security Act, which provides for detention without trial, was held allegedly for plotting to overthrow the de Klerk Government.

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SECRETARY-GENERAL OF THE UNITED NATIONS ORGANIZATION WELCOMES AGREEMENT REACHED BY THE SOUTH AFRICAN GOVERNMENT AND THE AFRICAN NATIONAL CONGRESS (ANC)

In a statement issued on 7 August 1990 on his behalf, the Secretary-General welcomed the agreement reached by the South African Government and the ANC at their talks held on 6 August 1990. The statement said that the Secretary-General very much hoped that this would accelerate the political process towards negotiation for a new constitution and for the dismantlement of the apartheid system.

Under the agreement, called the "PRETORIA MINUTE", the South African Government and the ANC committed themselves to the Groote Schuur Minute adopted at their first meeting in May this year. They also accepted the final report of the Working Group on political offences. The Working Group, established under the Groote Schuur Minute, was charged with delineation of legal aspects of political offences.

According to the report of the Working Group, the following classes of persons, whether inside or outside South Africa, must be taken into account with regard to pardon or indemnity for political offences:

(a) Persons already sentenced, including persons serving a sentence, persons subject to any suspended sentence, persons awaiting execution of a sentence or where the case is on appeal or review.

(b) Persons who may be liable to prosecution, or who are awaiting or undergoing trial.

(c) Persons in detention.

In preparing for the making of recommendations on a definition of political offences in the South African situation, the Working Group endorsed a number of principles and factors. It was noted that there was no generally accepted definition of "political offence" or "political prisoner" in international law. The law and practice of states showed, however, that there was a considerable degree of consensus both as to the types of offence which might in principle be classified as political, as well as to the sort of factors which should be taken into account in deciding whether an offence was "political" or not. Among these, the consideration on a case-by-case basis, the recognition of "purely" political offences, e.g. treason, or the dissemination of subversive literature, are of paramount importance.

The Working Group underlined that a number of principal factors

were commonly taken into account by national courts: the motive of the offender; the context in which the offence was committed; the nature of the political objective; the legal and factual nature of the offence, including its gravity; the object of the offence; the relationship between the offence and the political objective being pursued; the question whether the act was committed in the execution of an order or with the approval of the organization, institution or body concerned.

The Working Group accepted that these principles and factors would form a basis of guidelines to meet the South African situation when considering the grant of pardon or indemnity in respect to political offences. Accordingly, time scales and a mechanism to legally realize the principles and factors will have to be fixed. It was also recommended that the Working Group be kept active in respect of ANC interests.

It was agreed upon that the further release of prisoners which could be dealt with administratively would start on 1 September 1990. Indemnity which could be dealt with in categories of persons would be granted as from 1 October 1990, with the process to be completed not later than the end of the current year. The consideration of all the cases on an individual basis, which is to be expedited as much as possible, is to be completed within six months, but not later than 30 April 1991.

In the interest of moving as speedily as possible towards a negotiated peaceful political settlement and in the context of the agreements reached, the ANC announced that it was now suspending all armed actions with immediate effect. In the Pretoria Minute both sides once more committed themselves to do everything in their power to bring about a peaceful solution as quickly as possible.

They undertook steps and measures to promote and expedite the normalisation and stabilisation of the situation in the country in line with a spirit of mutual trust obtaining among the leaders involved. The Government undertook as well, to consider the lifting of the State of Emergency in Natal as early as possible, and to review the security legislation and its application in order to ensure free political activity.

Against this background, the parties to the talks considered that the way towards negotiations on a new constitution was open. They agreed to hold the exploratory talks in this regard before the next meeting on the political settlement.

SPECIAL COMMITTEE AGAINST APARTHEID COMMEMORATES INTERNATIONAL DAY OF SOLIDARITY WITH STRUGGLE OF WOMEN IN SOUTH AFRICA

The active involvement of women in the process of change in South Africa and the need for them to be beneficiaries of the political transformation cannot be over-emphasized, Secretary-General Perez

de Cuellar stated in a message, read out on 9 August 1990, by Mr. Sotirios Mousouris, Assistant Secretary-General for the Centre against Apartheid.

"In the new phase that South Africa is entering, where the prospects for a negotiated settlement of the conflict are within reach, the women of South Africa have legitimate expectations that their role in the new society will be fully recovered and their equal status be guaranteed", the Secretary-General's statement read.

The Chairman of the Special Committee, Ibrahim A. Gambari (Nigeria), said the Committee believed that the present situation in South Africa held the promise for the dismantlement of apartheid through negotiations and for the creation of a non-racial democracy in that country. He urged the international community to continue to assist the process towards a peaceful resolution of the conflict in South Africa by maintaining the required pressure as agreed to in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted at the General Assembly's special session last year.

9 August was proclaimed by the General Assembly in 1981 as the International Day of Solidarity. It has been observed annually in commemoration of the 1956 demonstration by South African women demonstrating in 1956 against the abhorred "pass laws".

Also making statements at the meeting were Lucille Mair, Minister of State, Ministry of Foreign Affairs of Jamaica (See: Notes and Documents, No. 13/90, August 1990, a publication of the United Nations Centre against Apartheid); Christopher Katsigazi (Uganda), on behalf of the Organization of African Unity (OAU); Thutukile Eileen Bhengu, National Human Rights Co-ordinator of the Young Women's Christian Association; Elizabeth Rejoice Sibeko, Secretary for Women and Children's Affairs of the Pan Africanist Congress of Azania (PAC); and Maha Giacaman Khoury, observer for Palestine.

COMMITTEE ON ELIMINATION OF RACIAL DISCRIMINATION HELD ITS THIRTY-EIGHT SESSION IN GENEVA

The Committee on the Elimination of Racial Discrimination, a United Nations human rights monitoring body composed of 18 expert members, held its 38th session during 6-26 August at the Palais des Nations in Geneva.

The session was essentially devoted to the examination of reports by States parties with regard to efforts they had undertaken for the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee considered, among other things, its agenda item entitled "Second Decade for Action to Combat Racism and Racial Discrimination (1985-1995)".

In his opening address, Jan Martenson, Under-Secretary-General for Human Rights, said he shared the disappointment of the Committee for the cancellation of its spring session owing to lack of payment of contributions.

The Under-Secretary-General observed that positive results had been achieved, of late, in the combat against racial discrimination, particularly in southern Africa, as reflected in the the changes taking place in South Africa. He informed the Committee that the Centre for Human Rights had already initiated contacts with academic circles in South Africa to see how it could best assist in improving human rights courses at the universities.

The session concluded by adopting its report to the General Assembly.

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES REVIEWS SITUATION SITUATION IN SOUTH AFRICA

The Sub-Commission on Prevention of Discrimination and Protection of Minorities continued discussion on 16 August 1990 on the elimination of racial discrimination, with special focus on South Africa. Speakers on this subject agreed on the need to intensify the economic and military embargo against the Government of South Africa until apartheid was totally eliminated.

The Sub-Commission also heard an introductory statement by Jan Martenson, Under-Secretary-General for Human Rights on the "Question of violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid in all countries, with particular reference to colonial and other dependent countries and territories".

He said the legislative infrastructure for the promotion and protection of human rights at the disposal of the international community needed to be examined constantly. That task was at the heart of the United Nations human rights programme. The roots of many procedures now in place could be found in suggestions and ideas which had originated in the Sub-Commission, and were brought to the attention of the international community by its experts. As the United Nations was working towards a further strengthening of the existing system, the Sub-Commission would continue to play a very important role in that regard. It, moreover, would have to reflect on any situation which might have arisen since the last session of the Commission and the Economic and Social Council.

Later, on 20 August 1990, the Sub-Commission acted on three resolutions pertaining to measures to combat racism and racial discrimination and the consequences for the enjoyment of human rights of assistance to the racist régime of

South Africa. The resolutions called upon the international community to take urgent measures to eradicate apartheid as well as to combat racism and racial discrimination. All three resolutions were adopted by consensus.

WORKING GROUP OF EXPERTS ON SOUTHERN AFRICA CONDUCTS HEARINGS IN LONDON

The Human Rights Commission's Ad Hoc Working Group of Experts on the Human Rights Situation in South Africa, and the Commission's Special Rapporteur on Summary or Arbitrary Executions, S. Amos Wako, started the hearings in London, on 20 August 1990, to be continued later in the front-line States: United Republic of Tanzania (27 to 31 August), Zambia (3 to 5 September) and Zimbabwe (7-12 September).

The Group consists of the following members, acting in their personal capacity: M. Leliel Balanda, Chairman/Rapporteur (Zaire); Branimir Jankovic (Yugoslavia); Humberto Diaz-Casanueva (Chile); Felix Ermacora (Austria); Mulka Govinda Reddy (India) and Elly-Elikunda Mtango (United Republic of Tanzania).

The Ad Hoc Working Group was set up in 1967 to study policies and practices that violate human rights in South Africa. It gathers first-hand information, and wishes now to devote special attention to developments that have occurred in South Africa since January.

The Special Rapporteur, S. Amos Wako (Nigeria), whose mandate includes the protection of the right to life, is especially concerned over the escalation of violence and the situation in Natal, particularly as reflected in the increase of deaths of civilians.

The Group will endeavour to obtain information from persons with first-hand knowledge and experience of matters relating to its mandate and, in particular, to practices such as: "bantustanization", including forced removals of population and establishment of "homelands". It will also seek similar information on practices affecting the right to life, including capital punishment, detention without trial, ill-treatment of detainees and disappearance; the right to work and to freedom of association, including the situation of trade unions formed by black workers; the right to education, including the situation of student movements; and the right to freedom of expression. At the request of the Commission on Human Rights at its last session in February, the Group will also pay special attention to the question of detention, torture and other inhuman treatment of children in South Africa.

The Group is expected to receive information from individuals, representatives of inter-governmental and non-governmental organizations, representatives of African liberation movements and various humanitarian organizations based in South Africa.

The information gathered will be analysed and submitted to the Human Rights Commission, at its forty-seventh session in February 1991, in accordance with the Commission's resolutions 1989/5 and 1990/26, and Economic and Social Council decision 1989/136. The Special Rapporteur on Summary or Arbitrary Executions is also scheduled to report to the Commission on his activities.

HUMAN RIGHTS COMMISSION SPECIAL RAPPORTEUR ON SUMMARY EXECUTIONS SENDS CABLES TO FOREIGN AFFAIRS MINISTER OF SOUTH AFRICA

Mr. S. Amos Wako, Special Rapporteur of the Commission on Human Rights on Summary or Arbitrary Executions sent on 29 August 1990 two cables to the Minister for Foreign Affairs of South Africa.

In the first cable he strongly urged the Government of South Africa to appoint an independent judicial commission to investigate the role of the police in violence conflicts and establish the truthfulness or otherwise of the accusations against the police. If any official is found guilty of the accusations, he or she should be prosecuted or disciplined as appropriate, the Special Rapporteur urged.

In the second cable, Mr. Amos Wako appealed to the Government to take all necessary measures to ensure the safety and physical integrity of Mr. S.R. Maharaj, a high-ranking member of the ANC Executive Committee, who was detained in South Africa under the Internal Security Act after the unbanning of the organization. The Special Rapporteur explained that from the evidence received recently from a number of witnesses including the wife of Mr. Maharaj a reasonable conclusion could be arrived at that the life of the prisoner was threatened and imminent. The release of Mr. Maharaj would be in accordance with the letter and spirit of the UN Declaration on Apartheid, adopted last December by the General Assembly.

COMMISSION AGAINST APARTHEID IN SPORTS CONCLUDED ITS SECOND SESSION IN NEW YORK, 27-29 AUGUST 1990

The Commission against Apartheid in Sports held its second session from 27 to 29 August at the United Nations Headquarters.

In the opening statement, Ambassador James Victor Gbeho (Ghana), re-elected by consensus as Chairman, said that since the Commission's first session last year, several important events had occurred: the adoption by consensus of a declaration on apartheid by the special session of the General Assembly; the release of Nelson Mandela and other political prisoners and the unbanning of political organizations in South Africa; the recent opening of talks between the South African Government and the ANC; and the continuing assessment of the situation in South Africa by the UN Secretary-General.

The Commission against Apartheid in Sports, he said, should add to the momentum that had been created by recent events in South Africa. Sanctions must remain in place, and the international community must remain vigilant, until apartheid had been replaced by a non-racial, democratic society in South Africa.

During the three days of the session the 15 Members of the Commission: Hamad Abdelaziz Kawari (Qatar); Ahmad Fathi Al-Masri (Syria); Raul Gonzalez Rodriguez (Mexico); Hocine Djoudi (Algeria); James Victor Gbeho (Ghana); Lionel Hurst (Antigua and Barbuda); Besley Maycock (Barbados); Abraham Ordia (Nigeria); Sedfrey Ordoñez (Philippines); Vladimir Platonov (Ukraine); Allan Rae (Jamaica); Boris Topornin (Soviet Union); Zoumara Traore (Burkina Faso); Mulu Wale (Ethiopia) and Georg Zorowka (German Democratic Republic) were unanimous in underlining the need to continue the sports boycott against South Africa until apartheid had been irrevocably dismantled. It was suggested that in the future the Commission would work with the governing bodies of international sporting organizations, so that those bodies could understand that apartheid in sports was harmful to all sportsmen and women.

The Commission decided to send a letter to Juan Antonio Samaranch, President of the International Olympic Committee (IOC) thanking him for the anti-apartheid stand of IOC and suggesting ways in which the Commission might work with the IOC in the future.

The Commission requested the Chairman to contact the Secretary-General of OAU to urge that more African States sign and ratify the Convention against Apartheid in Sports.

The Convention against Apartheid in Sports entered into force on 3 April 1988. Its 47 States parties are: Algeria; Antigua and Barbuda; Bahamas; Barbados; Bolivia; Bulgaria; Burkina Faso; Byelorussia; Czechoslovakia; Equatorial Guinea; Ehtiopia; German Democratic Republic; Ghana; Guinea; Guyana; Iran; Iraq; Jamaica; Jordan; Libya; Mali; Mauritania; Mauritius; Mexico; Mongolia; Nepal; Niger; Nigeria; Peru; Philippines; Poland; Qatar; Saint Kitts and Nevia; Senegal; Sudan; Syria; Togo; Tunisia; Uganda; Ukraine; USSR; United Republic of Tanzania; Uruguay; Venezuela; Yugoslavia; Zambia and Zimbabwe.

As a result of consultations with the representatives of national and international sporting organizations and bodies, the Commission decided to step up its dialogue with all the sporting bodies concerned on the apartheid-related issues.

In the report to the General Assembly, adopted by consensus, the Commission recommended that the Assembly urge all those States that have signed the Convention against

Apartheid in Sports but have not yet ratified it, to do so, and all States that have not signed the Convention to accede to it without delay.

The Commission also recommended that the Assembly call on States to extend co-operation to the Commission and to the Special Committee against Apartheid in matters relating to the boycott against apartheid in sports. The Commission also appealed to Governments, international, regional and national sporting bodies to provide material and technical assistance to non-racial South African sports organizations and athletes sponsored by them, and to support the efforts of the IOC to strenghten the various aspects of black sports organizations in South Africa.

In a closing statement, the Chairman, James Victor Gbeho (Ghana), said the work of the Commission was becoming an integral part of the effort of the international community to bring about a speedy eradication of apartheid.

PRESIDENT OF 44TH GENERAL ASSEMBLY ADDRESSED GREEK INSTITUTE ON IMPLICATIONS FOR AFRICA OF CHANGING EAST-WEST RELATIONS

In his address on implications for Africa of changing East-West relations, made on 27 August 1990, to the Institute of International Public Law and International Relations at Thessalonika, Greece, the President of the 44th General Assembly, Joseph N. Garba (Nigeria), said, inter alia, that the salutary effects of East-West rapprochement in recent years were revealed in an unprecedented inclination to jointly address the question of regional conflicts. In Africa, the most visible and remarkable consequence of such collaboration was the successful negotiation of Namibian independence after a 10-year hiatus of the United Nations peace plan, based on resolution 435 (1978).

In his address, the President of the General Assembly introduced a detailed analysis of the current situation in Africa, dwelt upon the specific Africa's interests in the changing world and the continent's response to its economic problems, scanned the unfavourable and positive effects of East-West contemporary relations on Africa and addressed the issue of socio-economic and political agenda for Africa in 1990s.

INTERGOVERNMENTAL MONITORING GROUP HEARS REPORT ON DRAFT LAW TO ENFORCE OIL EMBARGO AGAINST SOUTH AFRICA

On 31 August 1990, the Intergovernmental Group to Monitor Supply and Shipping of Oil and Petroleum Products to South Africa heard a report on the draft model Law on the Effective Enforcement of the United Nations General Assembly Oil Embargo Against South Africa. The report was introduced by Professor Richard Lillich of the University of Virginia, U.S.A. Professor Lillich was assisted in drafting the text by Professors Steven Cohen, Hurst Hamman and Andeas Lowenfeld, all teaching at

universities in the U.S.A.

In his report, Professor Lillich surveyed all national legislation available in order to analyzse their strengths and weaknesses for the purpose of drafting of a comprehensive law to enforce the oil embargo against South Africa. The report also reviewed the cumulative effect of General Assembly resolutions establishing and expanding the oil embargo. Professor Lillich observed that the objective in drafting the statute should be to close loopholes in sanctions. An effective law should allow for fine tuning of the statute to cope with new-found ways of avoiding the embargo. The model law must adopt the General Assembly's repeated call for an effective embargo and prohibit the export of both oil and petroleum products. Professor Lillich explained that a comprehensive enforcement law must have serious penalties attached to it, but added that the long-term success of the embargo turned upon the willingness of States to take legal measures to close the major loopholes which are threatening the entire oil sanctions effort.

Professors S. Cohen, H. Hannum, A. Lowenfeld and M. Malloy took part in explaining the scope and particulars of the draft model law. A number of suggestions as to the wording and contents of the draft were put forward by the representatives of Indonesia, Norway and Kuwait to the Monitoring Group.

In his statement, Anthony B. Nyakyi (United Republic of Tanzania), Chairman of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, said that what the Group had in mind was a framework which indicated to national Governments what fundamental and indispensable elements must be included in an effective law. It was then up to national Governments to translate that into their own legal and procedural framework.

II. ACTION BY INTER-GOVERNMENTAL ORGANIZATIONS

THE MONITORING GROUP OF THE ORGANIZATION OF AFRICAN UNITY (OAU) AD HOC COMMITTEE ON SOUTHERN AFRICA SAYS SOUTH AFRICA REGIME HAS NOT ESTABLISHED CLIMATE CONDUCIVE TO NEGOTIATIONS

In its report (PL/DEC/68(II)26.90) on the progress made in the implementation of the Harare Declaration and the General Assembly Declaration on Apartheid and its Destructive Consequences in Southern Africa, the Monitoring Group of the OAU Ad Hoc Committee on Southern Africa concluded that the apartheid regime has failed to take profound and irreversible steps towards the eradication of apartheid.

The Monitoring Group was established in March 1990 to closely follow-up the implementation of the Harare Declaration and the General

Assembly Declaration on Apartheid and its Destructive Consequences in Southern Africa. The Group held several meetings beginning 20 April 1990 up to, and including 8 June 1990. In addition to these meetings, the Group held consultations with the liberation movements recognized by the OAU and received oral testimony from several South Africans who came from inside South Africa. The Group also made extensive use of documentary evidence as well as evidence obtained from the South African and other media.

Based on testimony received and on its own assessment of developments inside South Africa the Group concluded inter-alia that: the apartheid regime had not yet established the necessary climate conducive for starting peaceful negotiation.

The Group recommended that the international community must insist that the apartheid regime should unconditionally implement at the least, the preconditions laid down in the two Declarations in order to create a necessary climate for negotiations leading to the drawing up of a constitution for a united, democratic and non-racial South Africa.

Meanwhile, at the conclusion of its 52nd Session, the Council of Ministers of the OAU adopted a resolution which inter-alia: called for the unity of all anti-apartheid movements in South Africa as well as for increased assistance to them. It reiterated the OAU'S commitment to a negotiated solution to the South African conflict.

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EUROPEAN COMMUNITY ISSUES A STATEMENT ON RECENT TALKS BETWEEN SOUTH AFRICAN GOVERNMENT AND ANC

Following is a statement issued on 9 August 1990 by the Twelve member States of the European Community on South Africa.

"The Community and its member States have learnt with keen satisfaction of the outcome of the meetings just concluded in Pretoria between the South African Government and the ANC.

The results achieved represent a further significant step along the road to reconciliation in the country and to the establishment of a united, non-racial and democratic South Africa, to the founding of which political forces should make a full contribution.

The Community and its member States welcome in particular the suspension of the armed struggle proclaimed by the ANC as well as the decisions on the release of the political prisoners and on the amnesty of the exiles.

The Community and its member States note the important developments that are taking place in South Africa and hope for a speedy start to negotiations on the

constitution."

THE ORGANIZATION OF AFRICAN UNITY (OAU) ISSUES PRESS RELEASE ON VIOLENCE IN SOUTH AFRICA

On 20 August 1990, the OAU issued a press release expressing its alarm and grave concern at the upsurge of violence in recent weeks in the black townships of South Africa.

The increased violence, the press release read, occurring at a time when hopes are high for a peaceful and negotiated end to apartheid system that had enslaved the black majority for so long was both disconcerting and regrettable.

The OAU called on all the parties involved in those fratricidal activities to end this senseless carnage with immediate effect and further urged all the oppressed people of South Africa to close their ranks and forge a common front for the challenging task now before them: namely, the negotiations for a new constitutional dispensation for post-apartheid South Africa.

"Fratricidal violence among the victims of apartheid at this point in time is counter-productive and only plays into the hands of those opposed to the dismantling of the heinous system of institutionalized racism," - the OAU press release concluded.

III. ACTION BY GOVERNMENTS

NEW YORK CITY STRENGTHENS SANCTIONS AGAINST SOUTH AFRICA

On 10 July 1990, the New York City Council unanimously approved a bill that would further limit city business with banks and companies that have ties to South Africa and seek to reward banks that put pressure on the apartheid government. The bill which was introduced on 14 June 1990 by New York City Mayor David Dinkins includes inter-alia: provisions restricting the rescheduling of loans, divesting outstanding debt owed by South African entities and denying corresponding banking services; a provision aimed at protecting South African workers employed by companies which disinvest from South Africa.

Under this provision, the law requires the City of New York to collect information about whether individual companies withdrawing from South Africa provide their workers with six months advance notice of disinvestment and negotiate in good faith over the terms of withdrawal. This provision was necessitated by the fact that in the past most companies disinvesting would sell their interests to local management or companies thereby hurting the interests of workers as the new owners were not obliged to protect the interests of workers.

The new law also extends sanctions to companies with non-equity business relations such as licensing, franchise and distribution agreements. Both parent corporations and subsidiaries are now covered as are intermediate suppliers who provide goods from South Africa related companies. Companies producing food or medical supplies in South Africa are no longer exempt. Banks will be classifed according to several criteria, including whether the bank has withdrawn its operations from South Africa, maintains correspondent banking relationships, or has rescheduled or extended existing loans.

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ANGOLA ACCEDES TO INTERNATIONAL CONVENTION AGAINST APARTHEID IN SPORTS

The Government of the People's Republic of Angola acceded on 9 August 1990 to the International Convention against Apartheid in Sports.

Under the provision of the Convention, which was adopted by the General Assembly on 10 December 1985, states parties shall not permit sports contacts with the country practising apartheid and shall take appropriate action to ensure that their sports bodies, teams or individual sportsmen do not have such contacts. Similarly, parties to the Convention shall prohibit entry into their countries of any individuals or groups who have participated in sports competitions in South Africa.

The Convention entered into force on 3 April 1988. It has been ratified or acceded to so far by 47 Member States.

IV. ACTION BY ANTI-APARTHEID ORGANIZATIONS

FIRST ORDINARY GENERAL ASSEMBLY OF THE NATIONAL ANTI-APARTHEID COMMITTEE OF THE PEOPLE'S REPUBLIC OF THE CONGO ADOPTS A NEW PROGRAMME OF ACTION AGAINST APARTHEID

Following its first ordinary general assembly held in Brazzaville (Congo) from 13 to 14 July 1990 the National Anti-Apartheid Committee adopted a programme of action based on three objectives, viz:

- To inform, sensitize and mobilise Congolese public opinion to fight for the elimination of the apartheid system;

- To raise, promote, maintain and reaffirm the fraternity and solidarity of the people of the world with those of South Africa;

- To extend moral and material assistance to the people of South Africa in their struggle against apartheid.

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ANTI-APARTHEID COALITION IN NEW ZEALAND CALLS FOR TOTAL TRADE BAN ON SOUTH AFRICA

A number of groups opposed to apartheid in South Africa called on the New Zealand Government on

12 August 1990 to impose a total trade ban on South Africa.

With the suspension by the ANC of its armed struggle, full sanctions were of crucial importance because opposition to apartheid now relied on peaceful means only, the groups said. They said New Zealand trade with South Africa for 1989 was worth $7.69 million in imports and $25.31 million in exports which, in the groups' view, could be curtailed without damaging the country's economy at the same time as sending a very powerful positive signal internationally.

Some of the Groups behind the statement were CARE, CORSO, ANC Aotearoa, Christian World Service, the International Affairs Committee of the Conference of Churches, the Council of Trade Unions, HART Aotearoa and Young Socialists.

CONGOLESE ANTI-APARTHEID COMMITTEE CELEBRATES SOLIDARITY DAY

The National Anti-Apartheid Committee of the Peoples Republic of Congo organized, in collaboration with the Revolutionary Union of Women of Congo and the National Movement of Pioneers, a public manifestation to celebrate the International Day of Solidarity with the Struggle of Women of South Africa.

The public meeting was attended by scores of women and children who listened to the declarations issued by the three sponsors and took part in discussions on various aspects of the women and family problems in apartheid South Africa.

The meeting was hosted by the United Nations Information Centre in Brazzaville.

ANTI-APARTHEID COMMITTEE IN CALIFORNIA ORGANIZED PETITION CAMPAIGN IN SANTA CRUZ

The Santa Cruz Anti-Apartheid Committee in California, U.S.A., organized a petition campaign to express the abhorrence for the racist state of South Africa. The petitioners called for the immediate disbanding of the Afrikaaner Broederbond - the ultra-secret society - if a peaceful, democratic and multi-racial state was to exist in South Africa. According to those who signed the petition, the Afrikaaner Broederbond monopolized all the regular channels of political influence in South Africa and are in control of all the sectors of public life in the country.

The petition, signed by dozens of anti-apartheid activists in Santa Cruz, was sent to the United Nations Headquarters and to the President of South Africa.

V. ACTION BY NON-GOVERNMENTAL ORGANIZATIONS

A top-level International Methodist Church delegation visited South Africa in August 1990. At a news conference held after the

meeting with the South African President F.W. de Klerk, the World Methodist Council (WMC) Bishop, Lawi Imathiu, admitted that the delegation had received positive answers to several important points raised at the meeting. According to Bishop Imathiu, President de Klerk argued his case for a new constitution and firmly stated his intention to remove the population registration and group areas acts.

However, President de Klerk said upon enquiry that the remark about the population registration act was not a correct reflection of what he had said. The act is closely tied to the Group areas act and the change could only take place once the constitution was enacted.

The church delegation first visited South Africa in 1987 following a decision of a 1986 WMC conference in Nairobi to meet the former President P.W. Botha. That meeting was described as "tough, difficult and depressing".

The participants to the current WMC delegation were also WMC vice-chair and president of the Methodist Church of Great Britain, the Rev. Dr. Donald English, and other prominent Methodist Church leaders.

VI. NEWS IN BRIEF

AUSTRALIA

A United Church Group in Melbourne recently urged Australians to boycott Shell products until the oil company withdraws from South Africa.

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Student Unions at the University of Western Australia will no longer have any dealings with Shell as long as the company remains in South Africa. The Union used Shell credit cards for all its vehicles amounting to Australian $17,000 a year.

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ITALY

The Italian major trade union confederations (CGIL, CISL and UIL) met with the general secretaries of their affiliates in the electricity-generating industry to formulate a programme to reduce the South African coal imports to Italy.

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JAPAN

Following a three-day conference in Tokyo of Japanese ambassadors and consuls from 15 Sub-Saharan African countries, a spokesman from the Japanese Foreign Ministry announced that Japan would not lift economic and other sanctions against South Africa despite recent moves by the Government to relax apartheid.

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NETHERLANDS

Since May 1989, at least nine ships have left the harbour of Amsterdam transporting refined oil products to South Africa, according to the Shipping Research Bureau, based in the city. All the ships reported the false destination on leaving the port to disguise this trade.

The Netherlands adhere to the EC oil embargo as adopted in 1985. The embargo applies to crude oil produced in the European Community. It does not ban the export or transport of crude oil held in bonded storage from other origins or refined oil products. However, several EC countries, among others Denmark and France and Sweden do forbid the export of oil products to South Africa.

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SOVIET UNION

According to an article in the ANC NEWSBRIEFING, (Volume Fourteen, week ending 22/07/90) a weekly newspaper of the African National Congress, Mr. Mandela was awarded the International Lenin Peace Prize for 1990. This was announced in Moscow on 30 May 1990 by Prize Committee Chairman, Mr. Boris Paton.

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At a reception in honour of the ambassadors of the Front-line States, the Soviet Deputy Foreign Minister Alexandre Belonogov spoke highly of the ANC constructive role in the negotiating process in South Africa. It was agreed during the reception that "the positive changes in South Africa have not become irreversible, which does not make it possible yet to speak of lifting sanctions against that country and easing pressure on it".

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UNITED KINGDOM

After intense political pressure and picketing throughout the United Kingdom by End Loans to South Africa (ELTSA), the World Gold Commission and the Anti-Apartheid Movement, Ratners, the giant British jewelry retail shop recently agreed in principle to stop selling jewelry made with South African gold.

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The Bishop of Oxford, Dr. Richard Harries recently said he was going to go ahead with his legal action against the Anglican Church Commissioners over their indirect investments in South Africa, in spite of a plea by the Archbishop of Canterbury to drop it. The Church Commission has holdings in companies which invest in South Africa, but no direct investment. In a radio interview with the BBC, Bishop Harries said that "ethical investment - taking moral considerations into account when you invest your money - is an idea whose time has come." "Investment can be and should be an instrument of the Gospel." The Oxford Diocese is also considering

removing funds amounting to nearly R8 million from the Church's central finances because of disatisfaction about the investments.

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UNITED STATES

Following the escalation of violence in South Africa in recent weeks, the United States urged an end to this violence and warned that an upsurge in incidents could undermine peaceful negotiations on ending apartheid. Saying that this violence originates from many quarters and could threaten the climate for peaceful negotiations, the State Department spokesperson Ms. Margaret Tutwiler called on all parties in South Africa to recommit themselves to the spirit of non-violence and negotiation, which is a precondition to the speedy eradication of the system of apartheid and the establishment of a non-racial democratic society.

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The New York-based Committee to Protect Journalists recently addressed a telex to President de Klerk expressing its alarm and concern at the assassination in Soweto of Mr. Sam Mabe, Assistant Editor of the Sowetan and at the explosion of a bomb at the Johannesburg offices of the Vrye Weekbald (an Afrikaans weekly newspaper) which has been reporting extensively on the existence of death squads inside the police and clandestine right-wing units within the army.

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The Board of Supervisors of Fairfax County in Virginia recently voted 7 to 2 to divest the county of all its holdings in companies that do business in South Africa and to prohibit future investment in such firms.

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The President of the Rockefeller Foundation, Mr. Peter Goldmark recently announced that the Foundation and Mr. Mandela had begun plans to establish a South African development bank to change the country's white-dominated economy through investment. The bank would begin operation only when pre-conditions for negotiation have been met and profound and irreversible change has taken place. The bank would be modeled along the lines of the World Bank and the new Bank for European Reconstruction and Development which is aiding post-Communist Eastern Europe. The idea of the bank emerged during a meeting between Mr. Mandela and American business executives during Mr. Mandela's June 1990 visit to the United States.

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On 20 August 1990, San Francisco joined Chicago and New York to become the third major city in the nation to strengthen its

anti-apartheid divestment ordinance since the release last February of Nelson Mandela. The Board of Supervisors approved legislation extending ordinance to cover city leases and deposits in South African banks and companies with as little as 5 per cent interest in businesses with South African ties.

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